

2007 DRAFTING REQUEST

Bill

Received: **02/15/2007**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **David Hansen (608) 266-5670**

By/Representing: **John Wagnitz**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Employ Priv - miscellaneous**
Employ Pub - civil service

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Hansen@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Paid leaveof absence for veterans on Veterans Day

Instructions:

See Attached--redraft 2005 SB 160

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 02/15/2007	wjackson 02/22/2007		_____			S&L
/1			jfrantze 02/23/2007	_____	sbasford 02/23/2007	cduerst 02/23/2007	

FE Sent For:

<END>

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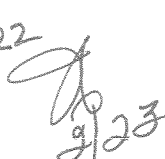
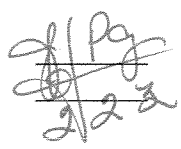
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Paid leave of absence for veterans on Veterans Day

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See Attached--redraft 2005 SB 160

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/?	gmalaise	1/1 WLj 2/22	 2/23	 2/22			

FE Sent For:

<END>

Malaise, Gordon

From: Wagnitz, John
Sent: Wednesday, February 14, 2007 1:58 PM
To: Malaise, Gordon
Subject: Legislative redraft, paid leave of absence on Veterans Day

Gordon,

Could you please redraft a Senate version of 2005 SB 160 for Senator Hansen.

Thank you,

John Wagnitz
Office of State Senator Dave Hansen
18 South, State Capitol
phone: (608) 266-5670
LRB-2135/1
GMM&RAC::wlj::jf

2005 - 2006 LEGISLATURE

2005 SENATE BILL 160

[Link to Bill History](#)

April 7, 2005 - Introduced by Senators Decker, Hansen, Wirsch, Coggs and Erpenbach, cosponsored by Representatives Turner, Sinicki, Van Akkeren, Pocan, Pope-Roberts, Seidel and Hines.

Pg1Ln1 An Act to create 103.06 and 106.54 (8) of the statutes; relating to: requiring
Pg1Ln2 that all employers in this state provide employees who are veterans a paid leave
Pg1Ln3 of absence on Veterans Day.

Analysis by the Legislative Reference Bureau SB160

Under current law, November 11 (Veterans Day) is a legal holiday. This bill requires that every public and private employer in this state grant to each employee who is a veteran a paid leave of absence for the entire workday on Veterans Day, or on the Monday following if Veterans Day falls on a Saturday or Sunday. Under the bill, for employees who are included in a collective bargaining unit, the paid leave of absence is granted only if so provided in a collective bargaining agreement.

SB160
The bill prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence on Veterans Day; opposing a discharge or discrimination in violation of the bill; filing a complaint or attempting to enforce a right under the bill; or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with the Department of Workforce Development (DWD), and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law. That processing may include the ordering of back pay, reinstatement, or compensation in lieu of reinstatement.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SB160, s. 1

Pg2Ln1 Section 1. 103.06 of the statutes is created to read:

SB160, s. 1 - continued

Pg2Ln2 103.06 Paid leave of absence on Veterans Day. (1) In this section:

SB160, s. 1 - continued

Pg2Ln3 (a) "Employee" means an individual employed in this state by an employer.

SB160, s. 1 - continued

Pg2Ln4 (b) "Employer" means a person engaging in any activity, enterprise, or business
Pg2Ln5 in this state. "Employer" includes the state and any office, department, independent
Pg2Ln6 agency, authority, institution, association, society, or other body in state government
Pg2Ln7 created or authorized to be created by the constitution or any law, including the
Pg2Ln8 legislature and the courts.

SB160, s. 1 - continued

Pg2Ln9 (c) "Veteran" means any individual who has served on active duty in the U.S.
Pg2Ln10 armed forces or in forces incorporated as part of the U.S. armed forces and who has
Pg2Ln11 been discharged or released from that duty under honorable conditions.

SB160, s. 1 - continued

Pg2Ln12 (2) (a) Subject to par. (b), an employer shall grant to each employee who is a
Pg2Ln13 veteran a paid leave of absence on November 11, or the Monday following if
Pg2Ln14 November 11 falls on a Saturday or Sunday. The leave of absence shall be for the
Pg2Ln15 entire workday. If an employee intends to take a leave of absence under this
Pg2Ln16 paragraph, the employee shall, in a reasonable and practicable manner, give the
Pg2Ln17 employer advance notice of the leave of absence.

SB160, s. 1 - continued

Pg2Ln18 (b) For employees whose wages, hours, and conditions of employment are
Pg2Ln19 determined in a collective bargaining agreement, par. (a) applies only if the paid
Pg2Ln20 leave of absence on November 11, or on the Monday following if November 11 falls
Pg3Ln1 on a Saturday or Sunday, is provided in an applicable collective bargaining
Pg3Ln2 agreement.

SB160, s. 1 - continued

Pg3Ln3 (3) An employer may not discharge or discriminate against an employee in
Pg3Ln4 promotion, in compensation, or in the terms, conditions, or privileges of employment
Pg3Ln5 for taking a paid leave of absence as provided in sub. (2), opposing a practice
Pg3Ln6 prohibited under this section, filing a complaint or attempting to enforce any right
Pg3Ln7 under this section, or testifying or assisting in any action or proceeding to enforce any
Pg3Ln8 right under this section.

SB160, s. 1 - continued

Pg3Ln9 (4) (a) An employee who is discharged or discriminated against in violation of
Pg3Ln10 sub. (3) may file a complaint with the department, and the department shall process
Pg3Ln11 the complaint in the same manner that employment discrimination complaints are
Pg3Ln12 processed under s. 111.39.

SB160, s. 2

Pg3Ln13 Section 2. 106.54 (8) of the statutes is created to read:

SB160, s. 2 - continued

Pg3Ln14 106.54 (8) The division shall receive complaints under s. 103.06 (4) and shall
Pg3Ln15 process the complaints in the same manner that employment discrimination
Pg3Ln16 complaints are processed under s. 111.39.
Pg3Ln17 (End)

2005 SENATE BILL 160

April 7, 2005 - Introduced by Senators DECKER, HANSEN, WIRCH, COGGS and ERPENBACH, cosponsored by Representatives TURNER, SINICKI, VAN AKKEREN, POCAN, POPE-ROBERTS, SEIDEL and HINES.

- 1 AN ACT ^{Regen} to create 103.06 and 106.54 (8) of the statutes; relating to: requiring
- 2 that all employers in this state ^{grant} provide employees who are veterans a paid leave
- 3 of absence on Veterans Day ^{to employees who are veterans}

following

Analysis by the Legislative Reference Bureau

Under current law, November 11 (Veterans Day) is a legal holiday. This bill requires that every public and private employer in this state grant to each employee who is a veteran a paid leave of absence for the entire workday on Veterans Day, or on the Monday following if Veterans Day falls on a Saturday or Sunday. Under the bill, for employees who are included in a collective bargaining unit, the paid leave of absence is granted only if so provided in a collective bargaining agreement.

The bill prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence on Veterans Day; opposing a discharge or discrimination in violation of the bill; filing a complaint or attempting to enforce a right under the bill; or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with the Department of Workforce Development (DWD), and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law. That processing may include the ordering of back pay, reinstatement, or compensation in lieu of reinstatement.

SENATE BILL 160

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 103.06 of the statutes is created to read:

103.06 Paid leave of absence on Veterans Day. (1) In this section:

(a) "Employee" means an individual employed in this state by an employer.

(b) "Employer" means a person engaging in any activity, enterprise, or business in this state. "Employer" includes the state and any office, department, independent agency, authority, institution, association, society, or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts.

(c) "Veteran" means any individual who has served on active duty in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who has been discharged or released from that duty under honorable conditions.

(2) (a) Subject to par. (b), an employer shall grant to each employee who is a veteran a paid leave of absence on November 11, or on the Monday following if November 11 falls on a Saturday or Sunday. The leave of absence shall be for the entire workday. If an employee intends to take a leave of absence under this paragraph, the employee shall, in a reasonable and practicable manner, give the employer advance notice of the leave of absence.

(b) For employees whose wages, hours, and conditions of employment are determined in a collective bargaining agreement, par. (a) applies only if the paid leave of absence on November 11, or on the Monday following if November 11 falls

SENATE BILL 160

1 on a Saturday or Sunday, is provided in an applicable collective bargaining
2 agreement.

3 (3) An employer may not discharge or discriminate against an employee in
4 promotion, in compensation, or in the terms, conditions, or privileges of employment
5 for taking a paid leave of absence as provided in sub. (2),[✓] opposing a practice
6 prohibited under this section, filing a complaint or attempting to enforce any right
7 under this section, or testifying or assisting in any action or proceeding to enforce any
8 right under this section.

9 (4) ~~(a)~~ An employee who is discharged or discriminated against in violation of
10 sub. (3) may file a complaint with the department, and the department shall process
11 the complaint in the same manner that employment discrimination complaints are
12 processed under s. 111.39.[✓]

13 **SECTION 2.** 106.54 (8)[✓] of the statutes is created to read:

14 106.54 (8) The division shall receive complaints under s. 103.06 (4)[✓] and shall
15 process the complaints in the same manner that employment discrimination
16 complaints are processed under s. 111.39.[✓]

17 (END)

Duerst, Christina

From: Wagnitz, John
Sent: Friday, February 23, 2007 1:23 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-1960/1 Topic: Paid leave of absence for veterans on Veterans Day

Please Jacket LRB 07-1960/1 for the SENATE.